

The Board of Trustees of Danbury Township, County of Ottawa, Ohio, met in a special meeting session at 5:30 p.m., on May 21, 2024, at the Danbury Township Hall, 5972 E. Port Clinton Road, Marblehead, Ohio 43440, with the following members present:

Ms. Dianne Rozak, Mr. John Paul Dress, Mr. David Hirt

Mr./ Ms. Dress introduced the following resolution and moved its adoption:

RESOLUTION NO. 09 - 2024

RESOLUTION TO PROCEED WITH THE REPAIR AND SECURANCE OF THE STRUCTURALLY DEFECTIVE STRUCTURE ON THE PROPERTY LOCATED AT 0 S. CHURCH ROAD ALSO KNOWN AS THE NW CORNER OF S. CHURCH & E. PORT CLINTON EASTERN ROAD, DANBURY TOWNSHIP, OTTAWA COUNTY, OHIO

PREAMBLE

WHEREAS, on or about March 6, 2024, the Board of Trustees (the “Board”) sent Sandra K. Hudson (“Owner(s)”), a courtesy notice that the property at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) (the “Property”) was being investigated by Danbury Township (the “Township”) for the possibility of exercising their authority in Ohio Revised Code Section 505.86 on what corrective measure should be taken with regard to the 24’ x 32’ barn structure (the “Structure”), including the possibility of demolition, located on the property in the unincorporated area of Danbury Township, Ottawa County, Ohio; and

WHEREAS, on or about April 11, 2024, the Board sent notice via certified mail to the Owner(s) of the Property, and any lienholders of record, that the Board would be providing them an opportunity during a special meeting on May 21, 2024, to be heard and provide any information as to why the Structure should not be repaired, secured, or removed; and

WHEREAS, on or about March 7, 2024, the Board received a letter from the Danbury Township Fire Chief finding that the Structure was insecure and unsafe pursuant to Section 505.86 of the Ohio Revised Code; and

WHEREAS, on or about April 18, 2024, Sandra K. Hudson sold and transferred the Property to Michael Ian and Amber S. Dziat; and

WHEREAS, on April 18, 2024, Michael Ian Dziat contacted the zoning office indicating that he was the new property owner and was provided a copy of all letters that were provided to Sandra K. Hudson, regarding the investigation into the dilapidated structure and the notice of the scheduled hearing for May 21, 2024.

WHEREAS, during said hearing, May 21, 2024, Owner, Michael Ian Dziat, was present and entered into agreement with the Board, by this Resolution, that they would make arrangements to repair and secure the Structure located at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio; and

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Trustees of Danbury Township, Ottawa County, Ohio hereby determines that the property owned by Michael Ian and Amber S. Dziat, located at 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) in Danbury Township, Ottawa County, Ohio contains a 24’ x 32’ Barn

Structure that is structurally defective and in need of repair and securance pursuant to Section 505.86 of the Ohio Revised Code, and orders the following actions:

- Section 1:** The Board orders the Owner(s) of the Property to apply for and receive the necessary permits from the Ottawa County Building Department no later than June 17, 2024.
- Section 2:** The Board orders the Owner(s) of the Property to execute and complete the exterior repairs of the Structure in accordance with the Ottawa County Building Permit(s) received, on or before August 16, 2024 (2.5 months after permit issuance).
- Section 3:** Exterior repairs of the Structure includes, but is not limited to; repair or replacement of roof framing & shingling, wall framing, siding, windows, doors, as needed; and
- Section 4:** If the Owner(s) needs an extension of time to complete and execute Section 1-3 herein, the Owner(s) must contact the Zoning Inspector no later than the Friday prior to the 2nd or 4th Wednesday before the deadlines established herein, and report the reasoning for such request in-person before the Board of Trustees at their regular meeting.
- Section 5:** If the Owner(s) fail to obtain necessary permits from the Ottawa County Building Department by June 17, 2024 or execute and complete the exterior repairs, or remain active in construction by August 16, 2024, then pursuant to Section 505.86 of the Ohio Revised Code, it is the Board's intention to enter the property to remove the defective structure, following a thirty (30) days notification of such action to the Owner(s) and any interested party or lienholder; and
- Section 6:** If the Owner(s) fails to obtain necessary permits or to execute and complete the exterior construction repairs, or remain active in construction by the deadlines established herein, the Board authorizes the Zoning Inspector to enter into a contract with a suitable person and/or entity to have the Structure removed and to restore the area by planting grass at a cost not to exceed \$5,000.00 with the Ed Burdue Co., LLC.; and
- Section 7:** The Board hereby directs and orders that all expenses incurred in the removal of the Structure and planting of grass shall be paid from the unappropriated monies in the Township's general fund.
- Section 8.** The Fiscal Officer shall report all expenses that the Township incurs in the removal of the Structure and planting of grass to the Auditor of Ottawa County, Ohio for entry upon the tax duplicate as a lien upon the Property and for collection and reimbursement of the Township's general fund as provided in Section 505.86 of the Ohio Revised Code.
- Section 9.** The Board finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in open meetings of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, Ohio Revised Code Section 121.22, except as otherwise permitted thereby.


This Resolution shall take effect and be in force from or after the earliest period allowed by law.

Mr./ Ms. Hirt seconded the Resolution, and the roll being called upon the question of its adoption, the vote resulted as follows:

Vote Record: Ms. Rozak - Yes; Mr. Dress - Yes; Mr. Hirt - Yes.

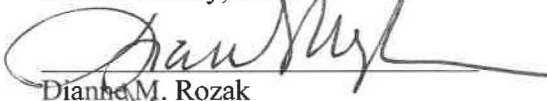
ADOPTED this 21st day of May, 2024.

Attest:




Fiscal Officer
Carolyn Adams

Board of Trustees
Danbury Township
Ottawa County, Ohio



Dianne M. Rozak



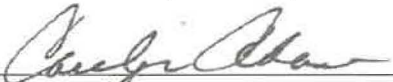
John Paul Dress



David M. Hirt

AUTHENTICATION

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution duly passed by this Board of Trustees in session this 21st day of May, 2024 and filed with the Danbury Township Fiscal Officer.



Carolyn Adams
Danbury Township Fiscal Officer

OWNER ACKNOWLEDGEMENT

Now comes the Owner(s) of 0 S. Church Road also known as the NW Corner of S. Church Road & E. Port Clinton Eastern Road, Marblehead, Ohio (PIN# 0141127915083000) in Danbury Township, Ottawa County, Ohio who freely and voluntarily were present and participated in said hearing, and acknowledge the agreements set forth in this Resolution on this 21st day of May, 2024 and agree to abide by the stipulations set-in and by the dates established.



Michael Ian Dzat, Owner

Amber S. Dzat, Owner